

Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ MODIFICATIONS TO SBIR AND STTR PROGRAMS.

(b) INCLUSION OF TESTING AND EVALUATION IN THE DEFINITION OF RESEARCH AND DEVELOPMENT.—Section 9(e)(5) of the Small Business Act (15 U.S.C. 638(e)(5)) is amended to read as follows:

“(5) the term ‘research’ or ‘research and development’ means—

“(A) any activity which is—

“(i) a systematic, intensive study directed toward greater knowledge or understanding of the subject studied;

“(ii) a systematic study directed specifically toward applying new knowledge to meet a recognized need; or

“(iii) a systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements; and

“(B) any testing or evaluation in connection with such an activity.”

(c) INCLUSION OF SMALL BUSINESS INVESTMENT COMPANIES IN SBIR AND STTR.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) by striking “or private equity firm investment” each place that term appears and inserting “private equity firm, or SBIC investment”;

(2) by striking “or private equity firms”

each place that term appears and inserting “private equity firms, or SBICs”;

(3) in subsection (e)—

(A) in paragraph (13)(B), by striking “and” at the end;

(B) in paragraph (14), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(15) the term ‘SBIC’ means a small business investment company as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662).”; and

(4) in the heading for subsection (dd), by striking “OR PRIVATE EQUITY FIRMS” and inserting “PRIVATE EQUITY FIRMS, OR SBICs”.

(d) CALCULATION OF LEVERAGE OF SMALL BUSINESS INVESTMENT COMPANIES THAT INVEST IN SBIR OR STTR PARTICIPANTS.—Section 303(b)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)) is amended by adding at the end the following:

“(E) INVESTMENTS IN SBIR AND STTR PARTICIPANTS.—

“(i) DEFINITIONS.—In this subparagraph—

“(I) the term ‘cost’ has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a); and

“(II) the term ‘SBIR or STTR participant’ means a small business concern that receives contracts or grants pursuant to section 9 of the Small Business Act (15 U.S.C. 638).

“(ii) EXCLUSION.—Subject to clause (iii), in calculating the outstanding leverage of a company for purposes of subparagraph (A), the Administrator shall exclude the amount of any investment made in a SBIR or STTR participant, if such investment is made in the first fiscal year after the date of enactment of this subparagraph or any fiscal year thereafter by a company licensed during the applicable fiscal year.

“(iii) LIMITATIONS.—

“(I) AMOUNT OF EXCLUSION.—The amount excluded under clause (i) for a company shall not exceed 33 percent of the private capital of that company.

“(II) MAXIMUM INVESTMENT.—A company shall not make an investment in any 1 SBIR or STTR participant in an amount equal to more than 20 percent of the private capital of that company.

“(III) OTHER TERMS.—The exclusion of amounts under clause (i) shall be subject to such terms as the Administrator may impose to ensure that there is no cost with respect to purchasing or guaranteeing any debenture involved.”

(e) ENCOURAGING PARTICIPATION IN THE MENTOR-PROTEGE PROGRAM.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(vv) ENCOURAGING PARTICIPATION IN THE MENTOR-PROTEGE PROGRAM.—The Administrator shall provide an increase to the past performance rating of any small business concern that has participated in the SBIR or STTR program that serves as a mentor under section 45 to a small business concern that seeks to participate in the SBIR or STTR program.”

(f) ANNUAL MEETING FOR FEDERAL AGENCIES WITH A SBIR OR STTR PROGRAM.—

(1) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by subsection (e), is amended by adding at the end the following:

“(ww) ANNUAL MEETING.—

“(1) IN GENERAL.—The head of each Federal agency required to have a program under this section (or a designee) and the Administrator (or a designee) shall meet annually to discuss methods—

“(A) to improve the collection of data under this section;

“(B) to improve the reporting of data to the Administrator under this section;

“(C) to make the application processes for programs under this section more efficient; and

“(D) to increase participation in the programs under this section.

“(2) REPORTING.—Not later than 60 days after the date on which an annual meeting required under paragraph (1) is held, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives a report on the findings of the meeting and recommendations on how to implement changes to programs under this section.”

(2) FUNDING FOR ANNUAL MEETING.—Section 9(mm)(1) of the Small Business Act (15 U.S.C. 638(mm)(1)) is amended—

(A) in subparagraph (J), by striking the “and” at the end;

(B) in subparagraph (K), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(L) the annual meeting required under subsection (ww).”

(g) INCREASING PARTICIPATION OF UNDERSERVED POPULATIONS IN THE SBIR AND STTR PROGRAMS.—

(1) IN GENERAL.—Section 9(mm)(2) of the Small Business Act (15 U.S.C. 638(mm)(2)) is amended to read as follows:

“(2) OUTREACH AND TECHNICAL ASSISTANCE.—A Federal agency participating in the program under this subsection shall use a portion of the funds authorized for uses under paragraph (1) to carry out the policy directive required under subsection (j)(2)(F) and to increase the participation of States with respect to which a low level of SBIR awards have historically been awarded.”

(2) CONFORMING AMENDMENT.—Section 9(mm)(6) of the Small Business Act (15 U.S.C.

638(mm)(6)) is amended by striking “paragraph (2)(A) and any use of the waiver authority under paragraph (2)(B)” and inserting “paragraph (2)”.

SA 1744. Mrs. SHAHEEN (for herself, Mr. MORAN, Mr. ROUNDS, and Ms. HASAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS ACCORDING TO CERTAIN CRITERIA.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

“SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

“(a) DEFINITIONS.—In this section:

“(1) COVERED ITEM.—The term ‘covered item’ means any of the following:

“(A) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:

“(i) Soft ballistic panels.

“(ii) Hard ballistic plates.

“(iii) Concealed armor carriers worn under a uniform.

“(iv) External armor carriers worn over a uniform.

“(B) Helmets that provide ballistic protection and other head protection and components.

“(C) Protective eyewear.

“(D) Rain gear, cold weather gear, other environmental and flame-resistant clothing.

“(E) Footwear provided as part of a uniform.

“(F) Uniforms.

“(G) Bags and packs.

“(H) Holsters and tactical pouches.

“(I) Patches, insignia, and embellishments.

“(J) Respiratory protective masks.

“(K) Chemical, biological, radiological, and nuclear protective gear.

“(L) Hearing protection equipment.

“(M) Powered air purifying respirators and required filters.

“(N) Disposable and reusable surgical and isolation gowns.

“(O) Gloves.

“(P) Face shields.

“(Q) Head and foot coverings.

“(R) Sanitizing and disinfecting wipes.

“(S) Privacy curtains.

“(T) Beds and bedding.

“(U) Testing swabs.

“(V) Gauze and bandages.

“(W) Tents and tarpaulins.

“(X) Any other critical safety item as determined appropriate by the Secretary.

“(2) FRONTLINE OPERATIONAL COMPONENT.—The term ‘frontline operational component’ means any of the following components of the Department:

“(A) U.S. Customs and Border Protection.

“(B) U.S. Immigration and Customs Enforcement.

“(C) The United States Secret Service.

“(D) The Transportation Security Administration.

“(E) The Coast Guard.

“(F) The Federal Protective Service.

“(G) The Federal Emergency Management Agency.

“(H) The Federal Law Enforcement Training Centers.

“(b) REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:

“(A) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

“(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

“(i) is an entity registered with the System for Award Management (or successor system) administered by the General Services Administration; and

“(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriated by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

“(C) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

“(i) store such covered item with such insignia or such insignia in a locked area;

“(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

“(iii) destroy any such defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

“(2) WAIVER.—

“(A) IN GENERAL.—In the case of a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.), the Secretary may waive a requirement in subparagraph (A), (B) or (C) of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets the requirement.

“(B) NOTICE.—Not later than 60 days after the date on which the Secretary determines a waiver under subparagraph (A) is necessary, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include—

“(i) identification of the national emergency declared by the President;

“(ii) identification of the covered item for which the Secretary intends to issue the waiver; and

“(iii) a description of the demand for the covered item and corresponding lack of supply from contractors able to meet the cri-

teria described in subparagraph (B) or (C) of paragraph (1).

“(c) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

“(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a report on instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

“(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 180 days after the date of enactment of this section.”

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of allowances provided to employees of frontline operational components (as defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall—

(A) be informed by a Department-wide survey of employees from across the Department who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention; and

(B) consider increasing by 25 percent, at minimum, the uniform allowance for first year employees and by 50 percent, at minimum, the annual allowance for all other employees.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

“Sec. 836. Requirements to buy certain items related to national security interests.”

SA 1745. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

TITLE VI—COMBATING SYNTHETIC DRUGS

SEC. 3601. SHORT TITLE.

This title may be cited as the “Fighting Emerging Narcotics Through Additional Na-

tions to Yield Lasting Results Act” or “FENTANYL Results Act”.

SEC. 3602. PRIORITIZATION OF EFFORTS OF THE DEPARTMENT OF STATE TO COMBAT INTERNATIONAL TRAFFICKING IN COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—The Secretary of State shall prioritize efforts of the Department of State to combat international trafficking in covered synthetic drugs by carrying out programs and activities to include the following:

(1) Supporting increased data collection by the United States and foreign countries through increased drug use surveys among populations, increased use of wastewater testing where appropriate, and multilateral sharing of that data.

(2) Engaging in increased consultation and partnership with international drug agencies, including the European Monitoring Centre for Drugs and Drug Addiction, and regulatory agencies in foreign countries.

(3) Carrying out the program to provide assistance to build the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section 3603.

(4) Carrying out exchange programs for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of narcotics and other drugs, as required by section 3604.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this section.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

SEC. 3603. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF FOREIGN LAW ENFORCEMENT AGENCIES WITH RESPECT TO COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), the Secretary of State shall establish a program to provide assistance to build the capacity of law enforcement agencies of the countries described in subsection (c) to help such agencies to identify, track, and improve their forensics detection capabilities with respect to covered synthetic drugs.

(b) PRIORITY.—The Secretary of State shall prioritize assistance under subsection (a) among those countries described in subsection (c) in which such assistance would have the most impact in reducing illicit use of covered synthetic drugs in the United States.

(c) COUNTRIES DESCRIBED.—The foreign countries described in this subsection are—

(1) countries that are producers of covered synthetic drugs;

(2) countries whose pharmaceutical and chemical industries are known to be exploited for development or procurement of precursors of covered synthetic drugs; or

(3) major drug-transit countries as defined by the President.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$4,000,000 for each of the fiscal years 2022 through 2026.